



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/044,579	10/23/2001	James E. Smith IV	SCI-002-CIP	4835

7590

02/04/2005

Jurgen K. Vollrath
1222 Settle Ave.
San Jose, CA 95125

EXAMINER

CANGIALOSI, SALVATORE A

ART UNIT	PAPER NUMBER
----------	--------------

3621

DATE MAILED: 02/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/044,579

Applicant(s)

SMITH, JAMES E.

Examiner

Salvatore Cangialosi

Art Unit

3621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-48 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-48 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

Art Unit: 3621

1. The following is a quotation of 35 U.S.C. § 103 which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

2. Claims 1-48 are rejected under 35 U.S.C. § 103 as being unpatentable over Chang et al (6105012) or Lewine (6148343) in view of Weiss(4720860).

Regarding claim 1, Chang et al (See abstract, Figs. 1, 11, 14, 15A, and 15B Col. 1, lines 45-65, Col. 2, lines 1-40, Col. 4, lines 35-45, col. 9, lines 1-20, claims 1, 9, and 21) or Lewine(See Fig., Col. 1, lines 40-65, Col. 2, lines 55-65, Col. 3, lines 20-40) disclose a means for supplying user data to a computer form such as a password unique to the user prior to enabling a computer to download content substantially as claimed. The differences between the above and the claimed invention is the use of specific code transfer. It is noted that it is believed that the transfer of passwords is a functional

Art Unit: 3621

equivalent of code. Weiss(See Fig. 1-2, Col. 1, lines 10-35, Col. 3, lines 25-45, Col. 8, lines 15-35, and claims 1-3) show password code provision. It would have been obvious to the person having ordinary skill in this art to provide a similar arrangement for either Chang et al or Lewine because the password generating means are conventional functional equivalents with respect to the claim limitations and increasing complexity of password generating increases the security of the resulting transaction. Regarding the portability limitations of claim 2, Weiss(See Fig. 1-2, Col. 1, lines 10-35, Col. 3, lines 25-45, Col. 8, lines 15-35, and claims 1-3) show portable password code provisioning means which is a functional equivalent of the claim limitations. Regarding the browser limitations of claim 3, Chang et al (See abstract, Figs. 1, 11, 14, 15A, and 15B Col. 1, lines 45-65, Col. 2, lines 1-40, Col. 4, lines 35-45, col. 9, lines 1-20, claims 1, 9 , and 21) or Lewine(See Fig., Col. 1, lines 40-65, Col. 2, lines 55-65, Col. 3, lines 20-40) disclose a means for supplying user data to a computer form such as a password unique to the user prior to enabling a computer to download content over the internet which is a functional equivalent of the claim limitations. Regarding the template limitations of claim 4, Chang et al (See abstract, Figs. 1, 11, 14, 15A, and 15B Col. 1, lines 45-65, Col. 2, lines 1-40, Col. 4, lines 35-45, col. 9, lines 1-20, claims 1, 9, and 21) or Lewine(See Fig., Col. 1, lines 40-65, Col. 2, lines 55-65, Col. 3, lines 20-40) disclose a

Art Unit: 3621

means for supplying user data to a computer form such as a password form unique to the user which is a functional equivalent of the claim limitations. Regarding the password limitations of claims 5, Chang et al (See abstract, Figs. 1, 11, 14, 15A, and 15B Col. 1, lines 45-65, Col. 2, lines 1-40, Col. 4, lines 35-45, col. 9, lines 1-20, claims 1, 9 , and 21) or Lewine(See Fig., Col. 1, lines 40-65, Col. 2, lines 55-65, Col. 3, lines 20-40) disclose a means for supplying user data to a computer form such as a password unique to the user which is a functional equivalent of the claim limitations. Regarding the descriptor limitations of claims 6, Chang et al (See abstract, Figs. 1, 11, 14, 15A, and 15B Col. 1, lines 45-65, Col. 2, lines 1-40, Col. 4, lines 35-45, col. 9, lines 1-20, claims 1, 9 , and 21) or Lewine(See Fig., Col. 1, lines 40-65, Col. 2, lines 55-65, Col. 3, lines 20-40) disclose a means for supplying user data to a computer form such as a password unique to the user which is a functional equivalent of the claim limitations. Regarding the password limitations of claims 7, Chang et al (See abstract, Figs. 1, 11, 14, 15A, and 15B Col. 1, lines 45-65, Col. 2, lines 1-40, Col. 4, lines 35-45, col. 9, lines 1-20, claims 1, 9 , and 21) or Lewine(See Fig., Col. 1, lines 40-65, Col. 2, lines 55-65, Col. 3, lines 20-40) disclose a means for supplying user data to a computer form such as a password unique to the user which is a functional equivalent of the claim limitations. Regarding claim 8, Chang et al (See abstract, Figs. 1, 11, 14, 15A, and 15B Col.

Art Unit: 3621

1, lines 45-65, Col. 2, lines 1-40, Col. 4, lines 35-45, col. 9, lines 1-20, claims 1, 9, and 21) or Lewine(See Fig., Col. 1, lines 40-65, Col. 2, lines 55-65, Col. 3, lines 20-40) disclose a means for supplying user data to a computer form such as a password unique to the user prior to enabling a computer to download content substantially as claimed. The differences between the above and the claimed invention is the use of specific password generator. Weiss(See Fig. 1-2, Col. 1, lines 10-35, Col. 3, lines 25-45, Col. 8, lines 15-35, and claims 1-3) show portable password provision. It would have been obvious to the person having ordinary skill in this art to provide a similar arrangement for either Chang et al or Lewine because the password generating means are conventional functional equivalents with respect to the claim limitations. Regarding the user limitations of claim 9, Khan et al (col. 9, lines 20-50) show user identifiers are governed by the desired level of security which is a functional equivalent of the claim limitations. Regarding the form limitations of claim 10, Chang et al (See abstract, Figs. 1, 11, 14, 15A, and 15B Col. 1, lines 45-65, Col. 2, lines 1-40, Col. 4, lines 35-45, col. 9, lines 1-20, claims 1, 9, and 21) or Lewine(See Fig., Col. 1, lines 40-65, Col. 2, lines 55-65, Col. 3, lines 20-40) disclose a means for supplying user data to a computer form such as a password form unique to the user which is a functional equivalent of the claim limitations.

Regarding claim 11, Chang et al (See abstract, Figs. 1, 11, 14,

Art Unit: 3621

15A, and 15B Col. 1, lines 45-65, Col. 2, lines 1-40, Col. 4, lines 35-45, col. 9, lines 1-20, claims 1, 9 , and 21) or Lewine(See Fig., Col. 1, lines 40-65, Col. 2, lines 55-65, Col. 3, lines 20-40) disclose a means for supplying user data to a computer form such as a password unique to the user prior to enabling a computer to download content substantially as claimed. The differences between the above and the claimed invention is the use of specific code transfer. It is noted that it is believed that the descriptor is the functional equivalent of browser bookmarks. Weiss(See Fig. 1-2, Col. 1, lines 10-35, Col. 3, lines 25-45, Col. 8, lines 15-35, and claims 1-3) show password code provision. It would have been obvious to the person having ordinary skill in this art to provide a similar arrangement for either Chang et al or Lewine because the password generating means are conventional functional equivalents with respect to the claim limitations and increasing complexity of password generating increases the security of the resulting transaction. Regarding the descriptor limitations of claims 12, Chang et al (See abstract, Figs. 1, 11, 14, 15A, and 15B Col. 1, lines 45-65, Col. 2, lines 1-40, Col. 4, lines 35-45, col. 9, lines 1-20, claims 1, 9 , and 21) or Lewine(See Fig., Col. 1, lines 40-65, Col. 2, lines 55-65, Col. 3, lines 20-40) disclose a means for supplying user data to a computer form such as a password unique to the user which is a functional equivalent of the claim limitations. Regarding the password limitations of

Art Unit: 3621

claims 13, Chang et al (See abstract, Figs. 1, 11, 14, 15A, and 15B Col. 1, lines 45-65, Col. 2, lines 1-40, Col. 4, lines 35-45, col. 9, lines 1-20, claims 1, 9 , and 21) or Lewine(See Fig., Col. 1, lines 40-65, Col. 2, lines 55-65, Col. 3, lines 20-40) disclose a means for supplying user data to a computer form such as a password unique to the user which is a functional equivalent of the claim limitations. Regarding claim 14, Chang et al (See abstract, Figs. 1, 11, 14, 15A, and 15B Col. 1, lines 45-65, Col. 2, lines 1-40, Col. 4, lines 35-45, col. 9, lines 1-20, claims 1, 9 , and 21) or Lewine(See Fig., Col. 1, lines 40-65, Col. 2, lines 55-65, Col. 3, lines 20-40) disclose a means for supplying user data to a computer form such as a password unique to the user prior to enabling a computer to download internet content by a browser substantially as claimed. The differences between the above and the claimed invention is the use of specific descriptor. It is noted that it is believed that the descriptor is the functional equivalent of browser bookmarks and using browser history to simplify internet address entry. It would have been obvious to the person having ordinary skill in this art to provide a similar arrangement for either Chang et al or Lewine because the bookmarks and browser history are normal components of browsers of the prior art. Regarding the list limitations of claims 15, Chang et al (See abstract, Figs. 1, 11, 14, 15A, and 15B Col. 1, lines 45-65, Col. 2, lines 1-40, Col. 4, lines 35-45, col. 9, lines 1-20, claims 1, 9 , and 21) or Lewine(See Fig.,

Art Unit: 3621

Col. 1, lines 40-65, Col. 2, lines 55-65, Col. 3, lines 20-40) disclose a means for supplying user data to a computer form such as a password unique to the user which is a functional equivalent of the claim limitations. Regarding the identifier limitations of claims 16, Chang et al (See abstract, Figs. 1, 11, 14, 15A, and 15B Col. 1, lines 45-65, Col. 2, lines 1-40, Col. 4, lines 35-45, col. 9, lines 1-20, claims 1, 9 , and 21) or Lewine(See Fig., Col. 1, lines 40-65, Col. 2, lines 55-65, Col. 3, lines 20-40) disclose a means for supplying user data to a computer form such as a password unique to the user which is a functional equivalent of the claim limitations. Regarding claim 17, Chang et al (See abstract, Figs. 1, 11, 14, 15A, and 15B Col. 1, lines 45-65, Col. 2, lines 1-40, Col. 4, lines 35-45, col. 9, lines 1-20, claims 1, 9 , and 21) or Lewine(See Fig., Col. 1, lines 40-65, Col. 2, lines 55-65, Col. 3, lines 20-40) disclose a means for supplying user data to a computer form such as a password unique to the user prior to enabling a computer to download content substantially as claimed. The differences between the above and the claimed invention is the use of specific password generator. Weiss(See Fig. 1-2, Col. 1, lines 10-35, Col. 3, lines 25-45, Col. 8, lines 15-35, and claims 1-3) show portable password provision. It would have been obvious to the person having ordinary skill in this art to provide a similar arrangement for either Chang et al or Lewine because the password generating means are conventional functional equivalents with

Art Unit: 3621

respect to the claim limitations. Regarding the credit limitations of claims 18, Chang et al (See abstract, Figs. 1, 11, 14, 15A, and 15B Col. 1, lines 45-65, Col. 2, lines 1-40, Col. 4, lines 35-45, col. 9, lines 1-20, claims 1, 9 , and 21) or Lewine(See Fig., Col. 1, lines 40-65, Col. 2, lines 55-65, Col. 3, lines 20-40) disclose a means for supplying user data to a computer form such as a password unique to the user for credit transactions which is a functional equivalent of the claim limitations. Regarding the content limitations of claim 19, Chang et al (See abstract, Figs. 1, 11, 14, 15A, and 15B Col. 1, lines 45-65, Col. 2, lines 1-40, Col. 4, lines 35-45, col. 9, lines 1-20, claims 1, 9 , and 21) or Lewine(See Fig., Col. 1, lines 40-65, Col. 2, lines 55-65, Col. 3, lines 20-40) disclose a means for supplying user data to a computer form such as a password unique to the user prior to enabling a computer to download content over the internet which is a functional equivalent of the claim limitations. Regarding the verification limitations of claims 20, Chang et al (See abstract, Figs. 1, 11, 14, 15A, and 15B Col. 1, lines 45-65, Col. 2, lines 1-40, Col. 4, lines 35-45, col. 9, lines 1-20, claims 1, 9 , and 21) or Lewine(See Fig., Col. 1, lines 40-65, Col. 2, lines 55-65, Col. 3, lines 20-40) disclose a means for supplying user data to a computer form such as a password unique to the user which is a functional equivalent of the claim limitations. Regarding the form limitations of claims 21, Chang et al (See abstract, Figs.

Art Unit: 3621

1, 11, 14, 15A, and 15B Col. 1, lines 45-65, Col. 2, lines 1-40, Col. 4, lines 35-45, col. 9, lines 1-20, claims 1, 9 , and 21) or Lewine(See Fig., Col. 1, lines 40-65, Col. 2, lines 55-65, Col. 3, lines 20-40) disclose a means for supplying user data to a computer form such as a password unique to the user which is a functional equivalent of the claim limitations. Regarding the descriptor limitations of claims 22-23, Chang et al (See abstract, Figs. 1, 11, 14, 15A, and 15B Col. 1, lines 45-65, Col. 2, lines 1-40, Col. 4, lines 35-45, col. 9, lines 1-20, claims 1, 9 , and 21) or Lewine(See Fig., Col. 1, lines 40-65, Col. 2, lines 55-65, Col. 3, lines 20-40) disclose a means for supplying user data to a computer form such as a password unique to the user which is a functional equivalent of the claim limitations because bookmarks and browser history are normal components of browsers of the prior art. Regarding the medical limitations of claims 24-25, Chang et al (See abstract, Figs. 1, 11, 14, 15A, and 15B Col. 1, lines 45-65, Col. 2, lines 1-40, Col. 4, lines 35-45, col. 9, lines 1-20, claims 1, 9 , and 21) or Lewine(See Fig., Col. 1, lines 40-65, Col. 2, lines 55-65, Col. 3, lines 20-40) disclose a means for supplying user data to a computer form for financial transactions which could be medical(See 1040, Schedule A) which is a functional equivalent of the claim limitations because bookmarks and browser history are normal components of browsers of the prior art. Regarding the password limitations of claim 26, Weiss(See Fig. 1-2, Col. 1, lines 10-35,

Art Unit: 3621

Col. 3, lines 25-45, Col. 8, lines 15-35, and claims 1-3) show portable password code provisioning means which varies with time which is a functional equivalent of the claim limitations.

Regarding the generic password limitations of claim 27, Weiss(See Fig. 1-2, Col. 1, lines 10-35, Col. 3, lines 25-45, Col. 8, lines 15-35, and claims 1-3) show portable password code provisioning means which varies with time(time being the generic) which is a functional equivalent of the claim limitations. Regarding the financial limitations of claims 28, Chang et al (See abstract, Figs. 1, 11, 14, 15A, and 15B Col. 1, lines 45-65, Col. 2, lines 1-40, Col. 4, lines 35-45, col. 9, lines 1-20, claims 1, 9 , and 21) or Lewine(See Fig., Col. 1, lines 40-65, Col. 2, lines 55-65, Col. 3, lines 20-40) disclose a means for supplying user data to a computer form such as a password unique to the user for financial transactions which is a functional equivalent of the claim limitations. Regarding the card limitations of claim 29, Weiss(See Fig. 1-2, Col. 1, lines 10-35, Col. 3, lines 25-45, Col. 8, lines 15-35, and claims 1-3) show portable password code provisioning means which in the shape of a credit card(See Fig. 2) which is a functional equivalent of the claim limitations. Regarding claim 30, Chang et al (See abstract, Figs. 1, 11, 14, 15A, and 15B Col. 1, lines 45-65, Col. 2, lines 1-40, Col. 4, lines 35-45, col. 9, lines 1-20, claims 1, 9 , and 21) or Lewine(See Fig., Col. 1, lines 40-65, Col. 2, lines 55-65, Col. 3, lines 20-40) disclose a means for supplying user data to a

Art Unit: 3621

computer form such as a password unique to the user prior to enabling a computer to download content by means of a browser substantially as claimed. The differences between the above and the claimed invention is the use of specific portable device and a descriptor. It is noted that it is believed that the descriptor is the functional equivalent of browser bookmarks and using browser history to simplify internet address entry. Weiss (See Fig. 1-2, Col. 1, lines 10-35, Col. 3, lines 25-45, Col. 8, lines 15-35, and claims 1-3) show portable password provision. It would have been obvious to the person having ordinary skill in this art to provide a similar arrangement for either Chang et al or Lewine because the password generating means are conventional functional equivalents with respect to the claim limitations. Regarding the descriptor limitations of claim 31, Chang et al (See abstract, Figs. 1, 11, 14, 15A, and 15B Col. 1, lines 45-65, Col. 2, lines 1-40, Col. 4, lines 35-45, col. 9, lines 1-20, claims 1, 9, and 21) or Lewine (See Fig., Col. 1, lines 40-65, Col. 2, lines 55-65, Col. 3, lines 20-40) disclose a means for supplying user data to a computer form such as a password unique to the user which is a functional equivalent of the claim limitations because bookmarks and browser history are normal components of browsers of the prior art. Regarding claim 32, Chang et al (See abstract, Figs. 1, 11, 14, 15A, and 15B Col. 1, lines 45-65, Col. 2, lines 1-40, Col. 4, lines 35-45, col. 9, lines 1-20, claims 1, 9, and 21) or Lewine (See Fig., Col. 1,

Art Unit: 3621

lines 40-65, Col. 2, lines 55-65, Col. 3, lines 20-40) disclose a method for supplying user data to a computer form such as a password unique to the user prior to enabling a computer to download content for a financial transactions substantially as claimed. The differences between the above and the claimed invention is the use of specific code transfer. It is noted that it is believed that the transfer of passwords is a functional equivalent of code. Weiss(See Fig. 1-2, Col. 1, lines 10-35, Col. 3, lines 25-45, Col. 8, lines 15-35, and claims 1-3) show password code provision which varies dynamically with time. It would have been obvious to the person having ordinary skill in this art to provide a similar arrangement for either Chang et al or Lewine because the password generating means are conventional functional equivalents with respect to the claim limitations and increasing dynamic complexity of password generating increases the security of the resulting transaction. Regarding claim 33, Chang et al (See abstract, Figs. 1, 11, 14, 15A, and 15B Col. 1, lines 45-65, Col. 2, lines 1-40, Col. 4, lines 35-45, col. 9, lines 1-20, claims 1, 9 , and 21) or Lewine(See Fig., Col. 1, lines 40-65, Col. 2, lines 55-65, Col. 3, lines 20-40) disclose a method for supplying user data to a computer form such as a password unique to the user prior to enabling a computer to download content for a financial transactions substantially as claimed. The differences between the above and the claimed invention is the use of specific code transfer. It is noted that

Art Unit: 3621

it is believed that the transfer of passwords is a functional equivalent of code. Weiss(See Fig. 1-2, Col. 1, lines 10-35, Col. 3, lines 25-45, Col. 8, lines 15-35, and claims 1-3) show password code provision which varies dynamically with time. It would have been obvious to the person having ordinary skill in this art to provide a similar arrangement for either Chang et al or Lewine because the password generating means are conventional functional equivalents with respect to the claim limitations and increasing dynamic complexity of password generating increases the security of the resulting transaction. Regarding the changing limitations of claim 34, Weiss(See Fig. 1-2, Col. 1, lines 10-35, Col. 3, lines 25-45, Col. 8, lines 15-35, and claims 1-3) show portable password code provisioning method which varies with time which is a functional equivalent of the claim limitations. Regarding the issuer limitations of claim 35, Weiss(See Fig. 1-2, Col. 1, lines 10-35, Col. 3, lines 25-45, Col. 8, lines 15-35, and claims 1-3) show portable password code provisioning method which varies with time in both the device and the network computer which is a functional equivalent of the claim limitations. Regarding network limitations of claims 36-38, Chang et al (See abstract, Figs. 1, 11, 14, 15A, and 15B Col. 1, lines 45-65, Col. 2, lines 1-40, Col. 4, lines 35-45, col. 9, lines 1-20, claims 1, 9 , and 21) or Lewine(See Fig., Col. 1, lines 40-65, Col. 2, lines 55-65, Col. 3, lines 20-40) disclose a method for supplying user data to a computer form such as a

Art Unit: 3621

password unique to the user prior to enabling a computer to download content for a financial transaction over a network between a multiplicity of parties which is a functional equivalent of the claims. Regarding the time span limitations of claim 39, Weiss(See Fig. 1-2, Col. 1, lines 10-35, Col. 3, lines 25-45, Col. 8, lines 15-35, and claims 1-3) show portable password code provisioning method which varies with time and is valid only for a predefined time period which is a functional equivalent of the claim limitations. Regarding claim 40, Chang et al (See abstract, Figs. 1, 11, 14, 15A, and 15B Col. 1, lines 45-65, Col. 2, lines 1-40, Col. 4, lines 35-45, col. 9, lines 1-20, claims 1, 9 , and 21) or Lewine(See Fig., Col. 1, lines 40-65, Col. 2, lines 55-65, Col. 3, lines 20-40) disclose a method for supplying user data to a computer form such as a password unique to the user prior to enabling a computer to download content for a financial transactions including employing third parties substantially as claimed. The differences between the above and the claimed invention is the use of specific code transfer. It is noted that it is believed that the transfer of passwords is a functional equivalent of code. Weiss(See Fig. 1-2, Col. 1, lines 10-35, Col. 3, lines 25-45, Col. 8, lines 15-35, and claims 1-3) show password code provision which varies dynamically with time.

It would have been obvious to the person having ordinary skill in this art to provide a similar arrangement for either Chang et al or Lewine because the password generating means are

Art Unit: 3621

conventional functional equivalents with respect to the claim limitations and increasing dynamic complexity of password generating increases the security of the resulting transaction. Regarding database limitations of claim 41, Chang et al (See abstract, Figs. 1, 11, 14, 15A, and 15B Col. 1, lines 45-65, Col. 2, lines 1-40, Col. 4, lines 35-45, col. 9, lines 1-20, claims 1, 9 , and 21) or Lewine(See Fig., Col. 1, lines 40-65, Col. 2, lines 55-65, Col. 3, lines 20-40) disclose a method for supplying user data to a computer form such as a password unique to the user prior to enabling a computer to download content for a financial transaction employing a database(Chang et al, element 132) between a multiplicity of parties which is a functional equivalent of the claims. Regarding event limitations of claims 42-43, Chang et al (See abstract, Figs. 1, 11, 14, 15A, and 15B Col. 1, lines 45-65, Col. 2, lines 1-40, Col. 4, lines 35-45, col. 9, lines 1-20, claims 1, 9 , and 21) or Lewine(See Fig., Col. 1, lines 40-65, Col. 2, lines 55-65, Col. 3, lines 20-40) disclose a method for supplying user data to a computer form such as a password unique to the user prior to enabling a computer to download content for a financial transaction including events between a multiplicity of parties which is a functional equivalent of the claims. Regarding claim 45, Chang et al (See abstract, Figs. 1, 11, 14, 15A, and 15B Col. 1, lines 45-65, Col. 2, lines 1-40, Col. 4, lines 35-45, col. 9, lines 1-20, claims 1, 9 , and 21) or Lewine(See Fig., Col. 1, lines 40-65, Col. 2,

Art Unit: 3621

lines 55-65, Col. 3, lines 20-40) disclose a method for supplying user data to a computer form such as a password unique to the user prior to enabling a computer to download content substantially as claimed. The differences between the above and the claimed invention is the use of specific code transfer. It is noted that it is believed that the transfer of passwords is a functional equivalent of code. Weiss(See Fig. 1-2, Col. 1, lines 10-35, Col. 3, lines 25-45, Col. 8, lines 15-35, and claims 1-3) show password code provision. It would have been obvious to the person having ordinary skill in this art to provide a similar arrangement for either Chang et al or Lewine because the password generating means are conventional functional equivalents with respect to the claim limitations and increasing complexity of password generating increases the security of the resulting transaction. Regarding the portability limitations of claim 46, Weiss(See Fig. 1-2, Col. 1, lines 10-35, Col. 3, lines 25-45, Col. 8, lines 15-35, and claims 1-3) show portable password code provisioning method which is a functional equivalent of the claim limitations. Regarding the browser limitations of claim 47, Chang et al (See abstract, Figs. 1, 11, 14, 15A, and 15B Col. 1, lines 45-65, Col. 2, lines 1-40, Col. 4, lines 35-45, col. 9, lines 1-20, claims 1, 9, and 21) or Lewine(See Fig., Col. 1, lines 40-65, Col. 2, lines 55-65, Col. 3, lines 20-40) disclose a method for supplying user data to a computer form such as a password unique to the user prior to enabling a computer to

Art Unit: 3621

download content over the internet which is a functional equivalent of the claim limitations. Regarding the template limitations of claim 48, Chang et al (See abstract, Figs. 1, 11, 14, 15A, and 15B Col. 1, lines 45-65, Col. 2, lines 1-40, Col. 4, lines 35-45, col. 9, lines 1-20, claims 1, 9, and 21) or Lewine(See Fig., Col. 1, lines 40-65, Col. 2, lines 55-65, Col. 3, lines 20-40) disclose a method for supplying user data to a computer form such as a password form unique to the user which is a functional equivalent of the claim limitations.

3. Claims 3, 13, 16, 47 are rejected under 35 U.S.C. . 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Certain claims (3, 47) contain the terms "capable" which are about intended uses, capabilities and structure which will result upon the performance of future acts that are not positive limitations. (See In re Collier, 158 USPQ 266) It is not clear what is being claimed. The claims require only a possibility rather than an actual limitation. For example, anything is possible given sufficient time and resources. Claim 13 is dependent on non existent claim 76. Claim 16(dependent on claim 25) is not dependent on a prior claim.

Any inquiry concerning this communication should be directed to Salvatore Cangialosi at telephone number (703) 305-1837. The

Serial Number: 10/044,579

19

Art Unit: 3621

examiner can normally be reached 6:30 Am to 5:00 PM, Tuesday through Friday. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell, can be reached at (703) 305-9768.

Any response to this action should be mailed to:

Commissioner of Patent and Trademarks
Washington, D.C. 20231

or faxed to (703)872-9306

Hand delivered responses should be brought to Crystal Park V, 2451 Crystal Drive, Arlington, Virginia, Seventh Floor(Receptionist).


Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 3600 Customer Service Office whose telephone number is (703) **308-4177**.

Serial Number: 10/044,579

20

Art Unit: 3621

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


SALVATORE CANGIALOSI
PRIMARY EXAMINER
ART UNIT 222

Notice of References Cited	Application/Control No. 10/044,579	Applicant(s)/Patent Under Reexamination SMITH, JAMES E.	
	Examiner Salvatore Cangialosi	Art Unit 3621	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-4,720,860	01-1988	Weiss, Kenneth P.	713/184
	B	US-4,856,062	08-1989	Weiss, Kenneth	713/184
	C	US-6,148,343 A	11-2000	Lewine, Donald A	709/229
	D	US-6,105,012 A	08-2000	Chang et al.	705/64
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
 Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

1C3600 CHK3

Organization U.S. DEPARTMENT OF COMMERCE

U.S. DEPARTMENT OF COMMERCE

COMMISSIONER FOR PATENTS

P.O. BOX 1450

ALEXANDRIA, VA 22313-1450

IF UNDELIVERABLE RETURN IN TEN DAYS

OFFICIAL BUSINESS

U.S. OFFICIAL MAIL

FOR PRIVATE USE \$300
PB METER
1903691
U.S. POSTAGE

1.29

AN EQUAL OPPORTUNITY EMPLOYER

RECEIVED

FEB 18 2005

GROUP 3600

NO SUCH SENDER TO
VACANT
ROUTE NUMBER
INITIALS
NOT KNOWN

